

**AMENDMENT****In the Claims**

Please amend claims 1, 3-5, 26, 28, 35, 37, and 44 as follows.

Please cancel claims 2, 27, and 36 without prejudice.

1. (Currently Amended) A method for generating an opportunistic broadcast schedule, comprising:

broadcasting meta-data to a plurality of client systems, the meta-data including descriptions of a plurality of pieces of content that are in consideration for inclusion in upcoming, yet to be scheduled, broadcasts;

receiving individual sets of client demand feedback data from at least a portion of said plurality of client systems, each individual set of client demand feedback data comprising data indicating a client interest level in at least a portion of the plurality of pieces of content;

determining a piece of content from among said plurality of pieces of content that is most opportunistic for a next broadcast by aggregating the individual sets of client demand feedback data; [[and]]

~~scheduling the piece of content that is determined to be most opportunistic to broadcast for a next broadcast.~~

maintaining a broadcast schedule queue comprising an ordered list of pieces of content that are scheduled to be broadcast in sequence derived from the aggregation of the client demand feedback data based on a relative level of client interest in each piece of content; and

placing the piece of content that is determined to be most opportunistic for a next broadcast at the top of the broadcast schedule queue such that it is next to be broadcast.

wherein the determination of the piece of content that is most opportunistic for a next broadcast is performed continuously.

2. (Cancelled)

3. (Currently Amended) The method of claim [[2]] 1, further comprising resetting the client demand feedback data for each piece of content that is determined to be most opportunistic for a next broadcast in response to a broadcast of that piece of content such that the piece of content cannot be determined again to be the piece of content that is most opportunistic for a next broadcast until new client demand feedback data corresponding to that piece of content is received.

4. (Currently Amended) The method of claim [[2]] 1, wherein the individual sets of client demand feedback data are received from respective client systems on an asynchronous basis and the broadcast schedule queue is recalculated upon receiving each individual set of client demand feedback data.

5. (Currently Amended) The method of claim [[2]] 1, further comprising adjusting the broadcast schedule queue in consideration of business objectives.

6. (Original) The method of claim 1, wherein the client demand feedback data comprises ratings data corresponding to respective pieces of content, and wherein the piece of content that is determined to be most opportunistic to broadcast comprises a highest rated piece of content derived from an aggregation of the ratings data.

7. (Original) The method of claim 6, wherein the aggregation of the ratings data comprises calculating an average ratings value for each piece of content and the highest rated piece of content is the piece of content with the highest average rating value.

8. (Original) The method of claim 6, wherein at least a portion of the ratings data comprise rating inputs provided by users of the client systems, each rating input indicating a level of desirability of a given user to receive a corresponding piece of content.

9. (Original) The method of claim 6, wherein at least a portion of the ratings data is automatically generated by the client systems based on data stored on the client systems that are indicative of content preferences of users of the client systems.

10. (Original) The method of claim 6, further comprises adjusting ratings data corresponding to any pieces of content that are rated by a given client system in consideration of a revenue-generating potential for those pieces of content.

11. (Original) The method of claim 6, wherein, for each individual set of client demand feedback data received from a client system, a first portion of the ratings data comprises rating inputs provided by one or more users of that client system and a second portion of the ratings data are automatically generated by that client system based on data stored on that client system that are indicative of content preferences of said one or more users of that client system.

12. (Original) The method of claim 6, wherein the meta-data is broadcast as a continuous stream and includes a content descriptor for each piece of content comprising a set of attributes and attribute values that are used to describe that piece of content, and further wherein at least a portion of the client systems provide ratings data corresponding to an individual piece of content in response to receiving the content descriptor for that piece of content.

13. (Original) The method of claim 1, wherein at least a portion of the individual sets of client demand feedback data comprise relative rankings data pertaining to relative levels of interest in at least two pieces of content, and wherein the piece of content that is determined to be most opportunistic to broadcast comprises is determined, at least in part, by aggregating the relative rankings data.

14. (Original) The method of claim 13, wherein the aggregation of the relative rankings data comprises calculating an average ranking for each piece of content among said plurality of pieces of content and the piece of content that is determined to

be most opportunistic for a next broadcast is the piece of content with the highest average ranking.

15. (Original) The method of claim 13, wherein at least a portion of the relative rankings data comprise individual sets of relative ranking inputs provided by users of the client systems, each individual set of relative ranking inputs comprising a relative ranking of at least two pieces of content, wherein the relative ranking is indicative of a relative level of desirability of a given user of a respective client system to receive a broadcast of the pieces of content ranked by that user.

16. (Original) The method of claim 13, wherein at least a portion of the relative rankings data is automatically generated by the client systems based on data stored on the client systems that are indicative of content preferences of users of the client systems.

17. (Original) The method of claim 13, further comprises adjusting relative rankings data corresponding to pieces of content that are rated by a given client system in consideration of a revenue-generating potential for those pieces of content.

18. (Original) The method of claim 13, wherein, for each individual set of client demand feedback data among at least a portion of the individual sets of client demand feedback data comprising relative rankings data, a first portion of the relative rankings data comprises relative ranking inputs provided by one or more users of the client system from which that individual set of client feedback is received and a second

portion of the relative rankings data are automatically generated by that client system based on data stored on that client system that are indicative of content preferences of said one or more users of that client system.

19. (Previously Presented) The method of claim 13, wherein a current set of meta-data corresponding to a set of pieces of content considered for inclusion in an upcoming, yet to be scheduled, broadcast is broadcast as a continuous stream that is repeated and includes a respective content descriptor for each piece of content included in the set of pieces of content, and wherein at least a portion of the individual sets of client demand feedback data includes a ranked list expressing a relative interest in all of the pieces of content in the set of pieces of content.

20. (Original) The method of claim 1 further comprising broadcasting a broadcast schedule prior to broadcasting the piece of content that is determined to be the most opportunistic for the next broadcast.

21. (Original) The method of claim 1, wherein the plurality of client systems are segmented such that each client system is a member of a particular segment among multiple segments and each individual set of client feedback data includes data that identifies the segment the client system is a member of, and further wherein a most opportunistic piece of content is determined and scheduled for a next broadcast for each segment.

22. (Original) The method of claim 21, wherein the plurality of client systems are segmented based on geography such that each client is assigned to a geographical region.

23. (Original) The method of claim 21, wherein the plurality of client systems are segmented based on a network by which each client receives broadcast content.

24. (Original) The method of claim 1, further comprising broadcasting at least a portion of the piece of content that is determined to be the most opportunistic for a next broadcast using post multiplex insertion of null data packets.

25. (Original) The method of claim 1, further comprising broadcasting at least a portion of the piece of content that is determined to be the most opportunistic for a next broadcast using statistical multiplexing.

26. (Currently Amended) An apparatus, comprising:  
a processor having circuitry to execute instructions;  
a communications interface coupled to the processor to receive data from the one or more client systems;  
a storage device coupled to the processor, having sequences of instructions stored therein, which when executed by the processor cause the apparatus to  
receive individual sets of client demand feedback data from a plurality of client systems, each individual set of client demand feedback data generated in response to meta-data that is broadcast to the plurality of client systems, the

meta-data including descriptions of a plurality of pieces of content that are in consideration for inclusion in upcoming, yet to be scheduled, broadcasts, each individual set of client demand feedback data indicating a client interest level in at least a portion of the plurality of pieces of content;

determine a piece of content from among said plurality of pieces of content that is most opportunistic for a next broadcast by aggregating the individual sets of client demand feedback data; [[and]]

~~schedule the piece of content that is determined to be most opportunistic to broadcast for a next broadcast.~~

maintain a broadcast schedule queue comprising an ordered list of pieces of content that are scheduled to be broadcast in sequence derived from the aggregation of the client demand feedback data based on a relative level of client interest in each piece of content; and

place the piece of content that is determined to be most opportunistic for a next broadcast at the top of the broadcast schedule queue such that it is next to be broadcast.

wherein the determination of the piece of content that is most opportunistic for a next broadcast is performed continuously.

27. (Cancelled)

28. (Currently Amended) The apparatus of claim [[27]] 26, wherein the individual sets of client demand feedback data are received from respective client systems on an



asynchronous basis and the broadcast schedule queue is recalculated upon receiving each individual set of client demand feedback data.

29. (Original) The apparatus of claim 26, wherein the client demand feedback data comprises ratings data corresponding to respective pieces of content, and wherein the piece of content that is determined to be most opportunistic to broadcast comprises a highest rated piece of content derived from an aggregation of the ratings data.

30. (Original) The apparatus of claim 29, wherein, for at least a portion of the individual sets of client demand feedback data received from the client systems, a first portion of the ratings data comprises rating inputs provided by one or more users of the client system from which that individual set of client demand feedback data is received and a second portion of the ratings data are automatically generated by that client system based on data stored on that client system that are indicative of content preferences of said one or more users of that client system.

31. (Original) The apparatus of claim 29, wherein the meta-data is broadcast as a continuous stream and includes a content descriptor for each piece of content comprising a set of attributes and attribute values that are used to describe that piece of content, and further wherein at least a portion of the client systems provide ratings data corresponding to an individual piece of content in response to receiving the content descriptor for that piece of content.

32. (Original) The apparatus of claim 26, wherein at least a portion of the individual sets of client demand feedback data comprise relative rankings data pertaining to relative levels of interest in at least two pieces of content, and wherein the piece of content that is determined to be most opportunistic to broadcast comprises is determined, at least in part, by aggregating the relative rankings data.

33. (Original) The apparatus of claim 32, wherein, for each individual set of client demand feedback data among at least a portion of the individual sets of client demand feedback data comprising relative rankings data, a first portion of the relative rankings data comprises relative ranking inputs provided by one or more users of the client system from which that individual set of client feedback is received and a second portion of the relative rankings data are automatically generated by that client system based on data stored on that client system that are indicative of content preferences of said one or more users of that client system.

34. (Previously Presented) The apparatus of claim 32, wherein a current set of meta-data corresponding to a set of pieces of content considered for inclusion in an upcoming, yet to be scheduled, broadcast is broadcast as a continuous stream that is repeated and includes a respective content descriptor for each piece of content included in the set of pieces of content, and wherein at least a portion of the individual sets of client demand feedback data includes a ranked list expressing a relative interest in all of the pieces of content in the set of pieces of content.

35. (Currently Amended) A machine-readable medium having a plurality of machine-executable instructions stored thereon, which when executed by a machine cause the machine to:

receive individual sets of client demand feedback data from a plurality of client systems, the individual sets of client demand feedback data generated in response to meta-data that is broadcast to the plurality of client systems, the meta-data including descriptions of a plurality of pieces of content that are in consideration for inclusion in upcoming, yet to be scheduled, broadcasts, each individual set of client demand feedback data indicating a client interest level in at least a portion of the plurality of pieces of content;

determine a piece of content from among said plurality of pieces of content that is most opportunistic for a next broadcast by aggregating the individual sets of client demand feedback data; and

~~schedule the piece of content that is determined to be most opportunistic to broadcast for a next broadcast.~~

maintain a broadcast schedule queue comprising an ordered list of pieces of content that are scheduled to be broadcast in sequence derived from the aggregation of the client demand feedback data based on a relative level of client interest in each piece of content; and

place the piece of content that is determined to be most opportunistic for a next broadcast at the top of the broadcast schedule queue such that it is next to be broadcast.

wherein the determination of the piece of content that is most opportunistic for a next broadcast is performed continuously.

36. (Cancelled)

37. (Currently Amended) The machine-readable media of claim ~~[[36]]~~ 35, wherein the individual sets of client demand feedback data are received from respective client systems on an asynchronous basis and the broadcast schedule queue is recalculated upon receiving each individual set of client demand feedback data.

38. (Original) The machine-readable media of claim 35, wherein the client demand feedback data comprises ratings data corresponding to respective pieces of content, and wherein the piece of content that is determined to be most opportunistic to broadcast comprises a highest rated piece of content derived from an aggregation of the ratings data.

39. (Original) The machine-readable media of claim 38, wherein, for at least a portion of the individual sets of client demand feedback data received from the client systems, a first portion of the ratings data comprises rating inputs provided by one or more users of the client system from which that individual set of client demand feedback data is received and a second portion of the ratings data are automatically generated by that client system based on data stored on that client system that are indicative of content preferences of said one or more users of that client system.

40. (Original) The machine-readable medium of claim 38, wherein the meta-data is broadcast as a continuous stream and includes a content descriptor for each piece of

content comprising a set of attributes and attribute values that are used to describe that piece of content, and further wherein at least a portion of the client systems provide ratings data corresponding to an individual piece of content in response to receiving the content descriptor for that piece of content.

41. (Original) The machine-readable medium of claim 35, wherein at least a portion of the individual sets of client demand feedback data comprise ranking data pertaining to relative levels of interest in at least two pieces of content, and wherein the piece of content that is determined to be most opportunistic to broadcast comprises is determined, at least in part, by aggregating the rankings data.

42. (Original) The machine-readable medium of claim 41, wherein, for each individual set of client demand feedback data among at least a portion of the individual sets of client demand feedback data comprising relative rankings data, a first portion of the relative rankings data comprises relative ranking inputs provided by one or more users of the client system from which that individual set of client feedback is received and a second portion of the relative rankings data are automatically generated by that client system based on data stored on that client system that are indicative of content preferences of said one or more users of that client system.

43. (Previously Presented) The machine-readable medium of 41, wherein a current set of meta-data corresponding to a set of pieces of content considered for inclusion in an upcoming, yet to be scheduled, broadcast is broadcast as a continuous stream that is repeated and includes a respective content descriptor for each piece of

content included in the set of pieces of content, and wherein at least a portion of the individual sets of client demand feedback data includes a ranked list expressing a relative interest in all of the pieces of content in the set of pieces of content.

44. (Currently Amended) A system, comprising:

a broadcast server;

a database server, linked in communication with the broadcast server; and

a plurality of client systems linked in communication with the broadcast server via a first communications link and linked in communication with the database server via a second ~~communication~~ communications link;

wherein the broadcast server is programmed to broadcast meta-data to said plurality of client systems via the first communications link, the meta-data including descriptions of a plurality of pieces of content that are considered for inclusion in upcoming, yet to be scheduled, broadcasts;

wherein each of said plurality of client systems is programmed to generate an individual set of client demand feedback data indicating a client interest level in at least a portion of the plurality of pieces of content based, in part, on the descriptions of such provided by the meta-data;

wherein at least a portion of the plurality of client systems send individual sets of client demand feedback data to the database server via the second communications link;

wherein the database server is programmed to determine a piece of content from among said plurality of pieces of content that is most opportunistic for a next broadcast by aggregating the individual sets of client demand feedback data;

wherein at least one of the broadcast server and database server is programmed to schedule the piece of content that is determined to be most opportunistic to broadcast for a next broadcast; and

wherein the broadcast ~~system~~ server is further programmed to broadcast the piece of content that is determined to be most opportunistic when bandwidth becomes available on the first communications link.

45. (Original) The system of claim 44, wherein one of the database server and broadcast server schedules the piece of content that is determined to be most opportunistic for a next broadcast by performing the operations of:

maintaining a broadcast schedule queue comprising an ordered list of pieces of content that are scheduled to be broadcast in sequence derived from the aggregation of the client demand feedback data based on a relative level of client interest in each piece of content.

placing the piece of content that is determined to be most opportunistic for a next broadcast at the top of the broadcast schedule queue such that it is next to be broadcast,

wherein the determination of the piece of content that is most opportunistic for a next broadcast is performed continuously.

46. (Original) The system of claim 45, wherein the individual sets of client demand feedback data are received from respective client systems on an asynchronous basis and the broadcast schedule queue is recalculated by the database server upon receiving each individual set of client demand feedback data.

47. (Original) The system of claim 44, wherein the client demand feedback data comprises ratings data corresponding to respective pieces of content, and wherein the piece of content that is determined to be most opportunistic to broadcast comprises a highest rated piece of content derived from an aggregation of the ratings data.

48. (Original) The system of claim 47, wherein, for at least a portion of the individual sets of client demand feedback data received from the client systems, a first portion of the ratings data comprises rating inputs provided by one or more users of the client system from which that individual set of client demand feedback data is received and a second portion of the ratings data are automatically generated by that client system based on data stored on that client system that are indicative of content preferences of said one or more users of that client system.

49. (Original) The system of claim 47, wherein the meta-data is broadcast as a continuous stream and includes a content descriptor for each piece of content comprising a set of attributes and attribute values that are used to describe that piece of content, and further wherein at least a portion of the client systems provide ratings data corresponding to an individual piece of content in response to receiving the content descriptor for that piece of content.

50. (Original) The system of claim 44, wherein at least a portion of the individual sets of client demand feedback data comprise relative rankings data pertaining to relative levels of interest in at least two pieces of content, and wherein the piece of



content that is determined to be most opportunistic to broadcast comprises is determined, at least in part, by aggregating the relative rankings data.

51. (Original) The system of claim 50, wherein, for each individual set of client demand feedback data among at least a portion of the individual sets of client demand feedback data comprising relative rankings data, a first portion of the relative rankings data comprises relative ranking inputs provided by one or more users of the client system from which that individual set of client feedback is received and a second portion of the relative rankings data are automatically generated by that client system based on data stored on that client system that are indicative of content preferences of said one or more users of that client system.

52. (Previously Presented) The system of claim 50, wherein a current set of meta-data corresponding to a set of pieces of content considered for inclusion in an upcoming, yet to be scheduled, broadcast is broadcast as a continuous stream that is repeated and includes a respective content descriptor for each piece of content included in the set of pieces of content, and wherein at least a portion of the individual sets of client demand feedback data includes a ranked list expressing a relative interest in all of the pieces of content in the set of pieces of content.

53. (Original) The system of claim 44, wherein the first communication link comprises a satellite broadcast link and the second communication link comprises a telecommunications link.

54. (Original) The system of claim 44, wherein the first communication link and second communications link comprise a bi-directional cable system link.

55. (Original) The system of claim 44, wherein the first communication link comprises a satellite broadcast link and the second communication link comprises a computer network communications link

56. (Original) The system of claim 44, wherein the first communication link and the second communications link comprise computer network communications links.